

street railroad companies or chartered transportation companies or express or sleeping car companies, or person or associations of persons operating the same, or receivers or lessees thereof, or their officers, agents or servants, in this State from carrying persons free of charge or carrying property free of charge or giving to any person a free pass or authority to travel or pass or have property transported free over any such line operated by it in this State, or to give any privilege or fare less than it gives or grants to any such all other persons, except its officers and employees, and prohibiting certain persons from accepting and using free transportation and from having property transported for a less rate than charged others, and prescribing penalties for the violation of the provisions hereof and appropriating such penalties."

And find the same correctly engrossed.

BARRETT, Chairman.
Committee Room.

Austin, Texas, February 3, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 91, being "An Act to amend Article 642 of the Revised Civil Statutes of Texas, as amended by Chapter 130, Acts of the Twenty-fifth Legislature, Chapter 43, Acts of the Twenty-sixth Legislature, Chapter 43, Acts of the Twenty-seventh Legislature, and Chapter 129, Acts of the Twenty-eighth Legislature, by adding thereto Subdivision 62, authorizing the formation of corporations for the growing, preparing for market and selling of rice, and Subdivision 63, authorizing the formation of corporations for the purpose of growing and selling sugar cane and making and refining sugar, molasses and all by products of sugar cane, and declaring an emergency."

And find the same correctly engrossed.

BARRETT, Chairman.

TWENTY-FIRST DAY.

Senate Chamber.

Austin, Texas, Tuesday, Feb. 7, 1905.

Senate met pursuant to adjournment, Lieutenant Governor George D. Neal in the chair.

Roll call, quorum present, the following Senators answering to their names:

Barrett,	Hill,
Beaty,	Holland.

Brachfield.	Looney.
Chambers.	Martin.
Decker.	McKamy.
Faust.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harblison.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson.	Griggs.
Faulk.	Paulus.
Glasscock.	

Absent—Excused.

Meachum.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Skinner the same was dispensed with.

(See Appendix for standing committee reports.)

EXCUSED.

On motion of Senator Hale, Senator Paulus was excused from attendance upon the Senate for today on account of important business.

On motion of Senator Skinner, Senator Glasscock was excused from attendance upon the Senate for today on account of sickness in family.

On motion of Senator Skinner, Senator Faulk was excused from attendance upon the Senate for today on account of important business.

BILLS AND RESOLUTIONS.

By Senator Martin (by request):

Senate bill No. 177, a bill to be entitled "An Act to provide for the appointment of a State Highway Commissioner, defining his term of service, powers, duties and salary, and making an appropriation for payment of salary and expenses."

Read first time, and referred to the Committee on State Affairs.

By Senator Terrell:

Senate bill No. 178, a bill to be entitled "An Act to amend Title XCIV, Chapter 10 of the Revised Civil Statutes of Texas of 1895, by adding thereto Article 4542a, which requires railway companies in the State to close and seal freight cars immediately upon being unloaded at stations where such companies have agents, and providing a penalty for failure to do so; also prohibiting any person from opening such closed and sealed

empty freight cars without authority, and providing a penalty therefor."

Read first time, and referred to the Committee on Public Health.

By Senator Decker:

Senate bill No. 179, a bill to be entitled "An Act to create and establish a mineral survey of the lands belonging to the public schools, university, asylums, or of the State, and other mineral lands within the State, and to determine the extent and use of the artesian or other underground or surface waters within the State, and to make appropriation therefor; and to provide a penalty for unlawfully disclosing information obtained by said survey; and also declaring an emergency."

Read first time, and referred to the Committee on Mining and Irrigation. Morning call concluded.

SENATE BILL NO. 43—SPECIAL ORDER.

The Chair here laid before the Senate, on second reading, as special order,

Senate bill No. 43, a bill to be entitled "An Act relating to State and county finances, providing for a system of State and county depositories for State and county funds, and to repeal all laws and parts of laws in conflict herewith."

Action being on the following pending amendment offered by Senators Beaty and Willacy on January 28:

Amend Section 16, page 6, of the printed bill in line 14 by adding the following after the word "office": provided, however, that none of the terms of this act shall not in any manner operate as a release of the State Treasurer or County Treasurer from any of the obligations of their respective bonds, should from any cause said securities be insufficient or moneys be not paid when proper demand be made.

Senator Hawkins offered the following substitute for the bill and pending amendment, which was adopted:

SENATE SUBSTITUTE FOR SENATE BILL NO. 43.

Amend by striking out all after the words, "Be it enacted by the Legislature of the State of Texas," and by inserting the following in lieu thereof:

Section 1.—That the Treasurer of the State of Texas is hereby authorized and empowered to designate a bank or banking institution in each Senatorial District of the State of Texas, which shall be known as a State depository. Said bank or banking institution must be a National bank or any incorporat-

ed State bank authorized to do business in the State of Texas.

Sec. 2.—When said bank or banking institution of any Senatorial district so designated by the State Treasurer has complied with the conditions of this Act, it shall be authorized to receive on deposit from the State Treasurer or under his direction, State funds not exceeding fifty thousand (\$50,000) dollars for any one bank, and it shall be the duty of said State Treasurer to cause the funds of the State to be deposited in said State depositories subject to the conditions and limitations of this Act.

Sec. 3.—Before the State Treasurer is authorized to deposit any State funds in any State depository herein provided for, or to cause the same to be so deposited, he shall satisfy himself as to the solvency of said institution, and in addition thereto he shall require:

First—A bond in the amount of one hundred thousand (\$100,000) dollars, which bond shall be payable to the Governor and to his successors in office, and said bond shall be conditioned for the safe keeping of said funds deposited and to meet the requirements of this Act, in such form as the Attorney General shall prescribe, and the same restrictions and requirements as to sureties thereon shall apply as is now or may be hereafter required in the bond of the State Treasurer, but no officer or stockholder in said banking institution shall be accepted as surety on said bond, or said bond may be signed by a fidelity and indemnity insurance company authorized to do such business within this State and having not less than \$100,000 capital.

Second—Or said Treasurer of the State of Texas may require, in lieu of said bonds, collateral security for said deposit desired, United States, State, county, school district or municipal bonds in the sum of fifty thousand (\$50,000) dollars, but before any State, county or municipal bonds shall be received as collateral security in such cases they must be registered with the Comptroller and approved by the Attorney General of the State of Texas under the same rules and regulations as are now required for bonds in which the permanent school funds of the State are to be invested.

Third—Any State depository receiving State funds under the provision of this Act shall pay to the State Treasurer at the end of each month interest on the average daily balance for said month at the rate of interest agreed upon, which shall in no event be less than at the rate of three per cent per annum.

Sec. 4.—All tax collectors in the

State of Texas and all officers charged with the duty of remitting to the State Treasurer State funds shall, after the passage of this Act, instead of remitting State funds to the State Treasurer as is now required by law, cause the same to be remitted to or deposited with the State depository for their respective Senatorial districts in case such districts have such a depository, and shall require of said depository a triplicate receipt therefor, one of which shall be preserved by the party so depositing said State funds, and the others shall be forwarded direct to the Treasurer of the State of Texas and Comptroller, respectively, whose duty it shall be also to keep with each State depository in Texas an accurate account showing a true and correct statement of the account of said depository with the State of Texas and the balance on hand in each at the close of each day's business.

Sec. 5.—If any State depository shall receive or have on hand State funds in excess of fifty thousand (\$50,000) dollars, said State depository shall remit forthwith on the first of the next month said excess to the Treasurer of the State of Texas, and in case any State depository shall fail or refuse to remit this excess it shall forfeit its right to act as a State depository, and the State Treasurer shall at once close his account with said depository, notify all tax collectors and others charged with the duty of collecting public funds for the State of Texas, and the Attorney General of the State shall cause such action to be taken, if any, as may be necessary to protect the State's interest in the premises.

Sec. 6.—The books and accounts of any bank or banking institution designated as a State or county depository pertaining to public funds shall at all times be open and subject to the inspection of the State Treasurer of Texas, the county treasurer, the Attorney General, or any district or county attorney of the State of Texas.

Sec. 7.—Any person whose duty it is to pay over to the State of Texas any money belonging thereto or to any funds of said State may remit or deposit the same in any State depository, which is then authorized to act as a State depository under this Act in the Senatorial district in which the said party resides, but in case there is no such depository in said district of his residence, or in case the party is a non-resident of the State of Texas, said money so due or to become due, shall be remitted direct to the State Treasurer at Austin. In any event said money or any money due the State, or any of its funds, may be sent by registered letter in due course of

mail, by postoffice money order, express money order of any company authorized to do business in Texas, or by personal check or bank draft on any incorporated State or National bank authorized to do business in Texas; but in such cases the liability of the person sending same shall not cease until said money is actually received by the State Treasurer or State depository, in due course of business.

Sec. 8.—The Treasurer of the State of Texas shall on the taking effect of this Act have the right to make such rules and regulations governing the establishment and conduct of State depositories and State funds therein as the public interest may require, not inconsistent with this Act, which said rules and regulations shall be in writing, and signed and approved by the Governor of the State of Texas, and when so approved by said Governor shall be binding upon banking institutions thereafter designated as State depositories under this Act. In like manner the commissioners courts of the respective counties shall have the right to make rules and regulations governing county depositories, which rules shall also be approved by the judge of the county court of said county, but which shall in no event be inconsistent with the terms of this Act.

Sec. 9.—Money deposited in State depositories shall be considered as deposited on call, subject to the order, demand, or warrant of the State Treasurer, and money deposited in county depositories shall be likewise considered on call, subject to the order, warrant or demand of the commissioners court of said county or the treasurer of said county in proper cases.

Sec. 10.—The county commissioners court of any county is hereby authorized to designate any incorporated State bank, or National bank, authorized to do business in the State of Texas, which shall be known as a county depository. Said banking institution shall be located in said county so designating such depository; provided, that in case there be no such banking institution in said county, or in case those in said county refuse to comply with this law, then in that event said depository may be located in any county adjacent thereto having a banking institution which complies with the terms of this Act.

Sec. 11.—State depositories shall be determined by competitive bidding for State funds, which bid shall be conducted under such rules and regulations which the State Treasurer shall prepare and the Governor may approve, and county depositories shall be determined under a like system of

bidding under rules adopted by the commissioners court of the respective county, and approved by the county judge, but in either case the party offering the highest rate of interest and complying with the other conditions of this Act shall be entitled to be designated as a State or county depository, as the case may be.

Sec. 12.—A county depository, before it is authorized to act as such, shall be required to execute a bond in all things the same as is now required of a county treasurer, and in addition thereto, it is expressly provided that no stockholder in said bank shall act as surety on said bond.

Section 13.—The county commissioners court of any county which has designated a county depository for county funds, shall require of said depository written monthly reports, under oath, showing minutely the status of said account with said county, which it is hereby made the duty of said depository to correctly keep; and said report shall show the average daily balance on hand at the close of said month's business, and the balance on hand at the time of making said report of the respective funds belonging to said county. Said county depositories shall also make a written quarterly report, under oath, to said commissioners court, showing minutely the financial condition of said depository. Said monthly reports shall be accompanied by checks and vouchers paid during said month.

Section 14.—All State funds shall be deposited in State depositories designated under this Act, and all county funds in county depositories so designated hereunder, subject to the limitations of this Act; provided that the State Treasurer is authorized to keep and retain in the State Treasury at Austin sufficient funds to meet the current expenses of the government in case he finds it advisable so to do.

Sec. 15.—If any officer charged with the duty of depositing funds, either State or county, shall refuse to so deposit the same in said depository authorized to receive the same, he shall be liable on his official bond therefor, and for interest on said amount which he has failed to so deposit at the rate of 5 per cent per month, at the suit of the State or county, as the case may be, and this shall also be a cause for removal from office.

Sec. 16.—County depositories shall pay interest on the amount of the average daily balances for each month at the end of each month, at the rate agreed on, which shall not be less than the rate of three per cent per annum.

Sec. 17.—Any banking institution designated as a State or county depos-

itory shall continue to act as such for two years next succeeding its qualification as such, and until the undertaking of its successor has been accepted by the proper authority; provided, however, that in case any such institution shall fail and refuse to qualify as such depository within thirty days next after its bid for State or county funds has been accepted, in the manner provided for in this Act, or in case it shall fail and refuse to comply with any of the conditions of this Act, or fail to discharge any of its duties thereunder, it shall be considered a just cause for forfeiting its rights to act as said State or county depository, and in such case the proper authorities shall be authorized to withdraw all State or county funds from such institution at any time after five days' notice of such intention, and in such cases a new State or county depository shall be established under the same rules and regulations as herein provided for the establishment thereof in the first instance. The same rules and regulations shall apply in establishing new depositories after the two years' tenure of depositories provided for in this Act have expired; that is, the money shall again be let to the highest bidder as in the first instance, and all other regulations with reference thereto before provided herein shall apply, but in any case arising under this Act where two or more of the highest bids are the same another competitive bidding for said funds shall be ordered as in the first instance.

Sec. 18. It shall be the duty of the State Treasurer to keep and maintain as nearly as possible a fair and equal balance of money on hand in each State depository established by this act by drawing warrants alternately thereon or by apportioning the warrants so drawn.

Sec. 19. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 20. The great necessity for this law, there being no law in Texas authorizing State and county depositories so to be established and the present condition of the State's finances creates a public necessity and an emergency, requiring that the rule which requires that bills be read on three several days in each house be suspended and the same is hereby suspended and that this take effect and be in force from and after its passage, and it is so enacted.

Senator Brachfield offered the following amendment:

Amend by adding after the word "be" in line 6, page 5, the following: "Provided that the commissioners court has a right to reject any and all bids."

The amendment was adopted.

Senator Faust offered the following amendment:

Amend the bill, page 4, Section 10, after the word "depository" in line 25 by inserting the following: "Preference being given to banking institutions at county seats, if bids be equal."

The amendment was adopted.

Senator Skinner offered the following amendment:

Amend by striking out after the word "treasurer" in line 2 on page 2, the following: "But no officer or stockholder in said banking institution shall be accepted as surety on said bond."

The amendment was adopted.

Senator Skinner offered the following amendment:

Amend by striking out after the word "expressly" in lines 9 and 10 on page 5, the following words, "provided that no stockholder in said bank shall act as surety on said bond."

The amendment was adopted.

(Senator McKamy in the chair.)

Senator Griggs offered the following amendment:

Amend by adding to Section 10, after the words "this act" in line 29, page 4, the following: "Provided further, that in such event sufficient funds shall be retained within the county to properly pay all immediate debts and demands against such county funds at all times."

The amendment was adopted.

Senator Faust offered the following amendment:

Amend the bill, page 6, Section 10, by striking out all after the word "month" in line 16 and insert in the bill thereof "at the highest rate attainable."

Senator Smith offered the following substitute for the amendment:

Substitute for amendment: Amend the bill by striking out the word "three" and insert in lieu thereof "two" wherever it occurs in the bill.

The substitute amendment was adopted.

The amendment as substituted was then adopted.

Senator Beaty moved to recommit the bill.

Senator Hawkins moved to table the motion to recommit.

The yeas and nays were called for and the motion to table prevailed by the following vote:

Yeas—15.

Barrett.	Martin.
Chambers.	McKamy.
Griggs.	Skinner.
Grinnan.	Smith.
Hanger.	Stokes.
Hawkins.	Stone.
Hicks.	Terrell.
Looney.	

Nays—8.

Beaty.	Hale.
Brachfield.	Harper.
Decker.	Holland.
Faust.	Stafford.

Absent.

Davidson.	Hill.
Harbison.	Willacy.

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Smith offered the following amendment:

Amend line 13, page 2, by adding the following after the word "investor": "Provided such county, municipal or independent school district bonds must be worth not less than par."

The amendment was adopted.

Senator Hale offered the following amendment:

Amend by striking out the caption of the bill.

On motion of Senator Hawkins the amendment was tabled.

The bill was read second time and ordered engrossed.

Senator Hawkins moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 61—ON THIRD READING.

The Chair here laid before the Senate on third reading.

Senate bill No. 61, a bill to be entitled "An Act to regulate the practice of osteopathy and creating a board of examiners, providing for registration of certificates, and providing penalties for violations of the act."

The question being on a motion to table a motion to recommit the bill, the same prevailed by the following vote:

Yeas—13.

Beaty.	McKamy.
Griggs.	Skinner.
Hale.	Smith.
Hanger.	Stafford.
Hawkins.	Stone.
Hicks.	Willacy.
Hill.	

Nays—11.

Barrett.	Harper.
Brachfield.	Looney.
Chambers.	Martin.
Decker.	Stokes.
Faust.	Terrell.
Grinnan.	

Absent.

Davidson.	Holland.
Harbison.	

Absent—Excused,
Faulk. Meachum.
Glasscock. Paulus.

Paired.

Senator Holland, present, nay.
Senator Faulk, absent, yea.

The bill was read third time and passed.

Senator Decker moved to reconsider the vote by which the bill was passed.

Senator Hanger moved to table the motion and the same prevailed by the following vote:

Yeas—13.

Beaty.	McKamy.
Griggs.	Skinner.
Hale.	Smith.
Hanger.	Stafford.
Hawkins.	Stone.
Hicks.	Willacy.
Hill.	

Nays—11.

Barrett.	Harper.
Brachfield.	Looney.
Chambers.	Martin.
Decker.	Stokes.
Faust.	Terrell.
Grinnan.	

Absent.

Davidson.	Holland.
Harbison.	

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

PAIRED.

Senator Holland, present, vote nay.
Senator Faulk, absent, vote, yea.

SENATE BILL NO. 149.

On motion of Senator Hale, the regular order of business, Senate bills Nos. 5 and 79, was suspended, and the Senate took up, out of its order, Senate bill No. 149.

The Chair laid before the Senate on second reading,

Senate bill No. 149, a bill to be entitled "An Act to prohibit a defendant convicted of a felony to enter into a recognizance or bail bond, pending his appeal, and prescribing the requisites of a recognizance or bail bond sufficient to confer jurisdiction upon the Court of Criminal Appeals of such appeals, repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

On motion of Senator Hale, the committee report was adopted.

Senator Hale offered the following amendment:

Amend by striking out the word "prohibit" in the caption of the bill

and substitute therefor the word "permit."

The amendment was adopted.

Senator Looney offered the following amendment:

Amend Section 7, page 2, line 21, by striking out the following language, "of a capital offense whose penalty has been fixed at death or confinement in the penitentiary for life," and insert in lieu thereof, as follows: "Of a felony whose punishment has been fixed at confinement in the State penitentiary for five years or less."

Senator Chambers moved to table the amendment. The motion was lost by the following vote:

Yeas—10.

Beaty.	Hanger.
Chambers.	Hill.
Decker.	Holland.
Griggs.	Skinner.
Hale.	Terrell.

Nays—14.

Barrett.	Looney.
Brachfield.	Martin.
Faust.	McKamy.
Grinnan.	Smith.
Harper.	Stafford.
Hawkins.	Stokes.
Hicks.	Stone.

Absent.

Davidson.	Willacy.
Harbison.	

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Hale offered the following amendment to the amendment by Looney:

Amend the amendment by inserting the word "ten" instead of the word "five."

The amendment to the amendment was lost.

Senator Looney's amendment was then adopted.

Question then being on the engrossment of the bill, the same was lost by the following vote:

Yeas—12.

Beaty.	Hill.
Decker.	Holland.
Faust.	McKamy.
Griggs.	Skinner.
Hale.	Stafford.
Hanger.	Terrell.

Nays—12.

Barrett.	Hicks.
Brachfield.	Looney.
Chambers.	Martin.
Grinnan.	Smith.
Harper.	Stokes.
Hawkins.	Stone.

Absent.

Davidson. Willacy.
Harbison.

Absent—Excused.

Faulk. Meachum.
Glasscock. Paulus.

Senator Hale moved to reconsider the vote by which the Senate refused to engross the bill, and

Senator Smith raised the point of order that Senator Hale voted for the engrossment of the bill, and therefore had no right to make a motion to reconsider the vote.

The point was well taken by the Chair, and

Senator Looney, who voted against the engrossment of the bill, moved to reconsider the vote by which the Senate refused to engross the bill.

Senator Brachfield moved to table that motion, and the motion was lost by the following vote:

Yeas—7.

Brachfield. Smith.
Chahbers. Stokes.
Grinnan. Stone.
Martín.

Nays—17.

Barrett. Hicks.
Beaty. Hill.
Decker. Holland.
Faust. Looney.
Griggs. McKamy.
Hale. Skinner.
Hanger. Stafford.
Harper. Terrell.
Hawkins.

Absent.

Davidson. Willacy.
Harbison.

Absent—Excused.

Faulk. Meachum.
Glasscock. Paulus.

The motion to reconsider the vote then prevailed.

On motion of Senator Hale further consideration of the bill was then postponed till tomorrow morning, and was made special order.

SENATE BILL NO. 105—CONSIDERATION OF.

On motion of Senator Hawkins the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 105.

The Chair laid before the Senate Senate bill No. 105, a bill to be entitled "An Act to provide that no member or officer of any corporations with forfeited charter and per-

mits shall continue to do business under their old corporate names, nor to use the same or like signs or advertisements which were used by such corporations before such forfeitures; making the failure to comply with this act a misdemeanor, and prescribing a punishment therefor."

Senator Hawkins moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed, and

Senator Hawkins moved to reconsider the vote by which Senator Skinner's amendment was adopted on yesterday.

The motion prevailed, and

Senator Hawkins then moved to table the amendment.

The motion to table prevailed.

The bill was then ordered engrossed.

SENATE BILL NO. 95.

On motion of Senator Looney, the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 95.

The Chair laid before the Senate, on its second reading,

Senate bill No. 95, a bill to be entitled "An Act to prohibit telegraph and telephone companies chartered by law from communicating or transmitting free of charge messages or communications for any person or corporation, or to give and grant any permit or authority therefor, and providing a suitable penalty for the violation of the act and authorizing its collection, and the enforcement of this act by the Attorney General, district and county attorneys of the State."

Senator Looney offered the following amendment:

Amend Section 1, page 1, lines 24 and 25, by striking out the following language: "Of a similar or like occupation."

The amendment was adopted.

Senator Stone offered the following amendment:

Amend by adding after the word "transmitting," in line 2, page 2, the following: "And their families."

The amendment was adopted.

The bill was read second time and ordered engrossed.

SENATE BILL NO. 102—PASSAGE OF.

On motion of Senator Brachfield, the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 102.

The Chair laid before the Senate, on second reading,

Senate bill No. 102, a bill to be entitled "An Act to amend an act entitled 'An Act to provide a charter for the city of Marshall, Harrison county, Texas, defining its boundaries, providing officers and prescribing their duties and powers, creating a corporation court and defining its powers and jurisdiction, and declaring an emergency,' approved March 23, 1903, by amending Section 1 of Article 4a of said act, and adding thereto Sections 2 and 3, and by amending Sections 1, 4 and 5 of Article 6 of said act, and by adding thereto Sections 7, 8, 9, 10, 11 and 12, said sections relate to sidewalks and streets, to taxation and the issuance of bonds, and declaring an emergency."

On motion of Senator Brachfield, the committee report was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Brachfield, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Griggs.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.

Absent.

Davidson.	Willacy.
Harbison.	

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

The bill was read third time and passed by the following vote:

Yeas—24.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Decker.	Martin.
Faust.	McKamy.
Griggs.	Skinner.
Grinnan.	Smith.

Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.

Absent.

Davidson.	Willacy.
Harbison.	

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO 73—PASSAGE OF.

On motion of Senator Chambers, the regular order of business was suspended, and the Senate took up, out of its order, House bill No. 73.

Chair laid before the Senate, on second reading,

House bill No. 73, a bill to be entitled "An Act to restore and confer upon the County Court of Franklin county the civil and criminal jurisdiction heretofore belonging to said court under the Constitution and General Statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the District Court of said county to such change; to fix the time of holding court, and to repeal all laws in conflict with this act."

Bill read second time and ordered engrossed. On motion of Senator Chambers, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Faust.	McKamy.
Griggs.	Skinner.
Grinnan.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.
Hicks.	

Absent.

Davidson.	Harbison.
Decker.	Willacy.

Absent—Excused.

Faulk,	Meachum.
Glasscock.	Paulus.

The bill was read third time, and passed by the following vote:

Yeas—22.

Barrett.	Hicks.
Beaty.	Hill.
Brachfield.	Holland.
Chambers.	Looney.
Faust.	Martin.
Griggs.	McKamy.
Grinnan.	Skinner.
Hale.	Smith.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Terrell.

Absent.

Davidson.	Stafford.
Decker.	Willacy.
Harbison.	

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Chambers moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 136—ENGROSSMENT OF.

On motion of Senator Hanger, the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 136.

The Chair laid before the Senate, on its second reading,

Senate bill No. 136, a bill to be entitled "An Act to amend Articles 3380 and 5060g of the Revised Statutes of Texas of 1895, regulating bonds of liquor dealers."

Senator Hanger offered the following amendment:

Amend the bill by striking out the words "or corporation" in line 3, page 5 and inserting in lieu thereof the word "association."

The amendment was adopted.

Senator Hanger offered the following amendment:

Amend the bill by inserting after the word "persons" in line 3, page 5, the following, "or corporation."

The amendment was adopted.

Senator Hanger offered the following amendment:

Amend the bill by striking out the word "it" in line 14, page 8, and inserting in lieu thereof the word "is."

The amendment was adopted.

Senator Hanger offered the following amendment:

Amend the bill by adding after the word "individual" in line 23, page 8, the following:

Sec. 3. The fact that there is now no adequate law on the subject of the bonds of liquor dealers creates an emergency and an imperative public necessity for suspension of the constitutional rule requiring bills to be read on three several days and such rule is therefore suspended and that this act take effect from and after its passage and it is so enacted.

The amendment was adopted.

Senator Hanger offered the following amendment:

Amend the bill by striking out the figures "11" in line 27, page 4, and inserting in lieu thereof the figure "2."

The amendment was adopted.

Senator Terrell offered the following amendment:

Amend by adding on page 1, line 17, between the words "sureties" and "payable" the following: "And such sureties shall be bona fide resident citizens of the county where such place of business is to be conducted and such sureties shall make oath in writing, which oath shall be affixed to such bond in writing, sign and swear to same before some officer authorized by law to administer oaths that they are bona fide resident citizens of the county where such place of business is to be conducted and that they each have property subject to execution of the value of the amount of the bond, and that no person, firm, association of persons or corporation has promised or agreed to indemnify them against loss on such bond, and if any such surety shall make a false statement in such affidavit, he shall be subject to the pains and penalties provided by law for making false affidavits and such bond shall be forfeited."

Senator Hanger offered the following amendment to the amendment:

Amend the amendment by striking out all after the words "of the value of the amount of the bond."

The amendment to the amendment was adopted, and

The amendment as amended was then adopted.

Senator Hill offered the following amendment:

Amend page 4, line 17, after the word "or" by inserting the following "that will obstruct the view through the windows of the."

The amendment was adopted.

Senator Terrell offered the following amendment:

Amend by adding on page 5, line 6, between the words "sureties and pay-

able" the following: "and such sureties shall be bona fide resident citizens of the county where such place of business is to be conducted and such sureties shall make oath in writing which oath shall be affixed to such bond, sign and swear to same before some officer authorized by law to administer oaths that they are bona fide resident citizens of the county where such place of business is to be conducted and that they each have property subject to execution of the value of the amount of the bond and such bond shall be."

The amendment was adopted.

Senator Brachfield offered the following amendment:

Amend by striking out "\$1,000," in line 5, page 5, and inserting "\$5,000."

Senator Smith offered the following amendment to the amendment:

Amend the amendment by striking out "\$5,000," and insert "\$2,500."

The amendment to the amendment was lost by the following vote:

Yeas—1.

Smith.

Nays—24.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Decker.	McKamy.
Faust.	Skinner.
Griggs.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson. Harbison.

Absent—Excused.

Faust.	Meachum.
Glasscock.	Paulus.

On motion of Senator Hicks the amendment was tabled by the following vote:

Yeas—19.

Barrett.	Hill.
Beaty.	Holland.
Decker.	Looney.
Faust.	McKamy.
Griggs.	Skinner.
Hale.	Stafford.
Hanger.	Stokes.
Harper.	Stone.
Hawkins.	Willacy.
Hicks.	

Nays—6.

Brachfield.	Martin.
Chambers.	Smith.
Grinnan.	Terrell.

Absent.

Davidson. Harbison.

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Grinnan offered the following amendment:

Amend by adding after "person," first appearing in line 31, page 1, the following: "Or to any person to be drunk or which may be drunk in any county, city, town or subdivision of a county in which the sale of intoxicating liquors has been prohibited, where the purchaser has a prescription of a physician or is authorized to purchase by the law regulating the sale of such liquor in local option districts."

On motion of Senator Hicks the amendment was tabled by the following vote:

Yeas—20.

Beaty.	Holland.
Brachfield.	Looney.
Decker.	McKamy.
Faust.	Skinner.
Griggs.	Smith.
Hale.	Stafford.
Hanger.	Stokes.
Hawkins.	Stone.
Hicks.	Terrell.
Hill.	Willacy.

Nays—5.

Barrett.	Harper.
Chambers.	Martin.
Grinnan.	

Absent.

Davidson. Harbison.

Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

The bill was read second time, and ordered engrossed.

Senator Hanger moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

COMMITTEE SUBSTITUTE BILL NOS. 5 AND 79.

The Chair laid before the Senate, on third reading,

Committee substitute bill Nos. 5 and 79, a bill to be entitled "An Act to amend Title XL, Chapter 2, Revised Civil Statutes of the State of Texas of 1895, by adding Article 2274a, and amending Articles 2282 and 2284 of said Title and Chapter, relating to notice for and the manner of taking depositions in civil cases."

The bill was read third time, and passed.

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 23—ENGROSS- MENT OF.

On motion of Senator Hill the regular order of business was suspended, and the Senate took up, out of its order, Senate bill No. 23.

The Chair here laid before the Senate, on second reading,

Senate bill No. 23, a bill to be entitled "An Act to amend Article 4839, Title XCVIII, Chapter 2, of the Revised Civil Statutes of Texas, fixing the annual salary of the judges of the district courts.

Senator Looney offered the following amendment:

Amend by striking out "\$3500" and insert in lieu thereof "\$3000."

On motion of Senator Hanger the amendment was tabled by the following vote:

Yeas—13.

Beaty.	Hicks.
Chambers.	Hill.
Decker.	Holland.
Griggs.	Stafford.
Hale.	Terrell.
Hanger.	Willacy.
Hawkins.	

Nays—12.

Brachfield.	Martin.
Barrett.	McKamy.
Faust.	Skinner.
Grinnan.	Smith.
Harper.	Stokes.
Looney.	Stone.

Absent.

Davidson.	Harbison.
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Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Hill offered the following amendment:

Amend by adding the following:

Section 2. The fact that the present Legislature will make appropriations to pay the salaries of the district judges creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the rule is so suspended and that this act take effect and be in force from and after its passage, and it is so enacted.

And amend the caption as follows by adding "and to declare an emergency."

The amendment was adopted.

The bill was ordered engrossed by the following vote:

Yeas—17.

Barrett.	Hicks.
Beaty.	Hill.
Chambers.	Holland.
Decker.	McKamy.
Griggs.	Skinner.
Grinnan.	Stafford.
Hale.	Terrell.
Hanger.	Willacy.
Hawkins.	

Nays—8.

Brachfield.	Martin.
Faust.	Smith.
Harper.	Stokes.
Looney.	Stone.

Absent.

Davidson.	Harbison.
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Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

Senator Hanger moved to reconsider the vote by which the bill was ordered engrossed, and lay that motion on the table.

The motion to table prevailed.

Senator Hill moved the constitutional rule requiring bills to be read on three several days be suspended and the bill be put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—17.

Barrett.	Hicks.
Beaty.	Hill.
Chambers.	Holland.

Decker.	McKamy.
Griggs.	Skinner.
Grinnan.	Stafford.
Hale.	Terrell.
Hanger.	Willacy.
Hawkins.	

Nays—8.

Brachfield.	Martin.
Faust.	Smith.
Harper.	Stokes.
Looney.	Stone.

Absent.

Davidson.	Harbison.
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Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

HOUSE BILL NO. 91.

On motion of Senator Stone, the regular order of business was suspended, and the Senate took up, out of its order, House bill No. 91.

The Chair laid before the Senate on second reading,

House bill No. 91, a bill to be entitled "An Act to amend Article 2939 of the Revised Civil Statutes of the State of Texas, relating to legal holidays, and amending the statutes so as to make June 3 a State holiday in honor of Jefferson Davis, President of the Confederate States of America, the same being the anniversary of his birth;" also

On motion of Senator Stone the committee report was adopted.

On motion of Senator Stone the Senate rule requiring committee reports to lay over for one day was suspended by the following vote:

Yeas—25.

Barrett.	Hill.
Beaty.	Holland.
Brachfield.	Looney.
Chambers.	Martin.
Decker.	McKamy.
Faust.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hale.	Stokes.
Hanger.	Stone.
Harper.	Terrell.
Hawkins.	Willacy.
Hicks.	

Absent.

Davidson.	Harbison.
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Absent—Excused.

Faulk.	Meachum.
Glasscock.	Paulus.

The bill was read second time, and ordered engrossed.

SENATE BILL NO. 15.

The Chair laid before the Senate, on second reading,

Senate bill No. 15, a bill to be entitled "An Act to amend Article 2955, Chapter 1, Title LV, Revised Civil Statutes of the State of Texas, and which fixes the age when males and females shall not marry."

On motion of Senator Smith, the committee report was adopted.

Senator Smith offered the following substitute for the bill:

Substitute Senate bill No. 15, a bill to be entitled "An Act to amend Articles 2955 and 2957, Chapter 1, Title LV, Revised Civil Statutes of the State of Texas, fixing the age at which males and females may marry, regulating the issuance of license to marry and fixing a penalty for the unlawful issuance of such license, with an emergency clause."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 2955 and 2957, Chapter 1, Title LV, of the Revised Civil Statutes of the State of Texas be and the same are hereby amended so as to hereafter read as follows.

Art. 2955. Males under 18 and females under 16 years of age shall not marry.

Art. 2957. No clerk shall issue a license without the consent of the parents or guardians of the parties applying unless the parties so applying shall be in the case of the male 21 years of age, and in the female 18 years of age. Such consent may be given by such parents or guardians either verbally, in person, or by written instrument, and when given in writing the same shall be acknowledged before some officer authorized to take acknowledgments to written instruments, with his certificate under official seal attached thereto.

Sec. 2. Any county clerk who shall knowingly or by gross negligence issue any license directed to persons authorized by law to celebrate the rites of matrimony between persons who are not permitted to marry under the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by fine of not less than \$100 nor more than \$500.

Sec. 3. The immature age at which males and females are now permitted by law to marry creates an emergency and an imperative public necessity for the suspension of the constitutional

rule requiring bills to be read on three several days, and that such rule is therefore suspended and that this act take effect from and after its passage, and it is so enacted.

The substitute bill was adopted, and Senator Smith moved that further consideration of the bill be postponed till tomorrow morning.

The motion prevailed.

ADJOURNMENT.

On motion of Senator Beaty, the Senate, at 1:15 o'clock p. m., adjourned until tomorrow at 10 o'clock a. m.

APPENDIX A.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 19, a bill to be entitled "An Act to regulate the sale, barter or transfer of railroad tickets, passes or other evidences of the holder's right to travel upon any railroad within this State, and restricting such sale, barter or transfer to the duly authorized agents of the railroad company issuing or selling the same; to provide for the redemption by the railroad company issuing them of such tickets or unused portions thereof; to prohibit the sale, barter or transfer of any railroad ticket, pass or other evidence of the holder's right to travel on any railroad within this State, or advertising the same for sale, or advertising or offering to purchase the same, by any person except the duly authorized agents of the railroad company issuing the same; to provide a penalty for a violation of this act and to repeal all laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, for the reason that a similar bill has already been reported favorably.

HANGER, Acting Chairman.

(Majority Report.)

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 120, a bill to be entitled "An Act to provide adequate

punishment for any person who shall engage or act in the capacity of a locomotive engineer or train conductor upon any railroad in the State of Texas without having first served three (3) years as a locomotive fireman or engineer, or if engaged as a conductor on any railroad train in this State he shall be punished as herein provided if he engages to so act without first having served two (2) years as a brakeman or conductor of a freight train; to punish any person who shall knowingly engage, promote, require, persuade or prevail upon, or cause any person to do any act in violation of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Amend Section 4 by adding thereto the following: "In case of emergency, where such companies can not obtain the employees mentioned in this act who have the notification prescribed by the provisions thereof, then such companies may employ temporary firemen, engineers and conductors who have not the qualifications prescribed by this act, but no such employment shall continue longer than such companies can supply their respective places with men who have the qualifications prescribed by this act; and provided further, that nothing herein contained shall relieve any of such companies from the negligence of any of its employees."

Notice of minority report filed.

HANGER, Acting Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 7, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 2, to whom was referred

Senate bill No. 120, a bill to be entitled "An Act to provide adequate punishment for any person who shall engage in the capacity of a locomotive engineer or train conductor, upon any railroad in the State of Texas, without first having served three years as a locomotive fireman or engineer, or if engaged as a conductor on a railroad train in this State he shall be punished as herein provided if he engages to so act without first having served two years as brakeman or conductor of a freight train; to punish any person who shall knowingly engage, promote, require, persuade or prevail upon or cause any person to do any act in violation of this Act,"

Have had the same under considera-

tion, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HALE,
BEATY,
HARPER.

(Majority Report.)

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 47, a bill to be entitled "An Act to amend Article 338, Title IX, Chapter 4, of the Penal Code of the State of Texas, as amended by the Acts of the Twenty-fifth Legislature, page 24, relating to carrying arms," amending the law so as to include any knife, the blade of which exceeds four inches in length, and increasing the punishment by making it a fine of not less than one hundred dollars nor more than two hundred dollars, and by confinement in the county jail not less than thirty days nor more than twelve months.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HANGER, Acting Chairman.

(Minority Report.)

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: We, a minority of your Judiciary Committee No. 2, to whom was referred

House bill No. 47, a bill to be entitled "An Act to amend Article 338, Title IX, Chapter 4, of the Penal Code of the State of Texas, as amended by the Acts of the Twenty-fifth Legislature, page 24, relating to carrying arms," amending the law so as to include any knife the blade of which exceeds four inches in length, and increasing the punishment by making it a fine of not less than one hundred dollars nor more than two hundred dollars, and by confinement in the county jail not less than thirty days nor more than twelve months.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HALE,
HARPER,
HANGER.

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 135, a bill to be entitled "An Act to amend Article 3381, of the Revised Statutes of Texas of 1895, relating to the granting of license to dealers in intoxicating liquors and to provide for the granting of license by order of the commissioners court,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HANGER, Acting Chairman.

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 158, a bill to be entitled "An Act to prohibit horses, mules, jacks, jennets and cattle from running at large in those counties and subdivisions of counties in this State, in which the provisions of Chapter 128 are in force, and providing a penalty for permitting such animals to run at large,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HANGER, Acting Chairman.

Committee Room,

Austin, Texas, February 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 104, a bill to be entitled "An Act making it an offense to be the proprietor, manager or in any way to have control of and run a public gaming house, and fixing a penalty therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HANGER, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 6, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 67, a bill to be entitled "An Act to amend Article 950 of the Penal Code of the State of Texas, relating to the fraudulent disposition of mortgaged property, and prescribing penalties therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with the following amendment: That the engrossed rider be stricken out.

HANGER, Acting Chairman.

Committee Room,
Austin, Texas, Feb. 6, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Judiciary Committee No.
2, to whom was referred

Senate bill No. 160, a bill to be en-
titled "An Act to amend Articles 644
and 647, Title VIII, Chapter 2, of the
Code of Criminal Procedure of Texas,
relating to special venires in capital
cases."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass.

HANGER, Acting Chairman.
Committee Room,

Austin, Texas, Feb. 6, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Judiciary Committee No.
2, to whom was referred

Senate bill No. 117, a bill to be en-
titled "An Act to amend Sections 1
and 2 of Chapter CI of an act of the
Twenty-sixth Legislature, defining the
offense of defrauding hotel and
boarding-house keepers of their
charges, and providing a penalty
therefor."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do not pass.

HANGER, Acting Chairman.
Committee Room,

Austin, Texas, Feb. 6, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Judiciary Committee No.
2, to whom was referred

Senate bill No. 85, a bill to be en-
titled "An Act to regulate the sale,
barter, transfer or advertisement of
railroad tickets, passes or other evi-
dences of holder's right to travel on
any railroad within this State, and
restricting such sale, barter, transfer
or advertisement to the duly author-
ized agents of the railroad company
issuing or selling the same; to pro-
vide for the redemption of such
tickets, or unused portions thereof;
to prohibit the sale, barter, transfer
or advertisement for sale, barter,
transfer or purchase of any railroad
ticket, passes or other evidences of the
holder's right to travel on any railroad
within this State by any person, firm
or corporation except the duly author-
ized agents of the railroad company
issuing or selling the same; to provide
penalties for the violation of the pro-
visions of this act and to repeal all
laws in conflict herewith."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do not pass, for the

reason that a similar bill has been fa-
vorably reported.

HANGER, Acting Chairman.
Committee Room,

Austin, Texas, Feb. 7, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Committee on State Af-
fairs, to whom was referred

House bill No. 91, a bill to be en-
titled "An Act to amend Article 2939
of the Revised Civil Statutes of Texas,
relating to legal holidays."

Have had the same under consid-
eration, and I am instructed to report
it back to the Senate with the recom-
mendation that it do pass and the bill
be not printed.

W. M. HOLLAND,
Chairman;

Committee Room,
Austin, Texas, Feb. 6, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and
compared

Senate bill No. 105, being "An Act to
provide that no member or officer of
any corporations with forfeited char-
ters and permits shall continue to do
business under their old corporate
names, nor to use the same or like
signs or advertisements which were
used by such corporations before such
forfeitures; making the failure to
comply with this act a misdemeanor
and prescribing a punishment there-
for."

And find the same correctly en-
grossed.

BARRETT, Chairman.
Committee Room,

Austin, Texas, Feb. 6, 1905.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and
compared

Committee substitute bill Nos. 5
and 79, being "An Act to amend Title
XL, Chapter 2, Revised Civil Statutes
of the State of Texas of 1895 by add-
ing Article 2274a, and amending Arti-
cles 2282 and 2284 of said Title and
Chapter, relating to notice for and the
manner of taking depositions in civil
cases."

And find the same correctly en-
grossed.

BARRETT, Chairman.

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas,

Wednesday, February 8, 1905.
Senate met pursuant to adjourn-